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11-17-04

AF 13764  
PATENT  
Attorney Docket No. 101.0053-00000  
Customer No. 22882  
A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Gary K. Michelson )  
Serial No.: 08/480,908 ) Group Art Unit: 3764  
Filed: June 7, 1995 ) Examiner: M. Brown  
For: THREADED FRUSTO-CONICAL )  
INTERBODY SPINAL FUSION )  
IMPLANTS )

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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TECHNOLOGY CENTER R3700

Sir:

**CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL**

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Date of Deposit: November 15, 2004

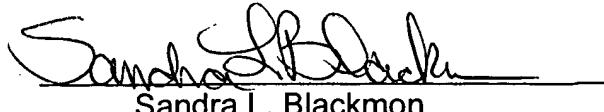
I hereby certify that:

1. Transmittal form (in duplicate; \$212.00 additional claims fee charged to Deposit Account No. 50-1066)
2. Amendment
3. Third Request for Interference Under 37 C.F.R. § 41.202(a) with Proposed Count and 2 Claim Charts
4. Self-addressed return postcard receipt

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date: November 15, 2004

  
Sandra L. Blackmon

1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632  
Telephone: (330) 877-0700  
Facsimile: (330) 877-2030



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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary K. Michelson

Serial No: 08/480,908

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For: THREADED FRUSTO-CONICAL  
INTERBODY SPINAL FUSION IMPLANTS

Art Unit: 3764

Examiner: M. Brown

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Transmitted herewith is an Amendment for the above-identified application.

No additional fee is required.

Applicant hereby requests a \*\*\*-month extension of time to respond to the above office action.

Third Request for Interference Under 37 C.F.R. § 41.202(a) with Proposed Count and 2 Claim Charts is enclosed.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE		ADD'L FEE DUE
TOTAL CLAIMS FEE	185	-	183	**	2	LG=\$18 SM=\$9	\$18
INDEPENDENT CLAIMS FEE	10	-	8	***	2	LG=\$88 SM=\$44	\$88
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS						LARGE ENTITY FEE = \$300 SMALL ENTITY FEE = \$150	\$ 0
						TOTAL	\$ 212.00

\* If the entry in Col. 1 is less than the entry in Col. 3, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

A fee in the total amount of \$212.00 to cover the additional claims is to be charged to Deposit Account No. 50-1066.

The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1066. A copy of this sheet is enclosed.

Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims

Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
MARTIN & FERRARO, LLP

By:

Amedeo F. Ferraro  
Registration No. 37,129

Date: November 15, 2004

1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632  
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**AMENDMENT**

Prior to the further examination of the above-identified application, the following amendments and remarks are submitted:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Remarks** begin on page 21 of this paper.

11/19/2004 AWONDAF1 00000135 501066 08480908

01 FC:1201 176.00 DA  
02 FC:1202 36.00 DA